

Claim 15 has been also rendered indefinite because of the term "capable of".

The corresponding claim 20 no longer contains the phrase "capable of".

The Examiner states the terms "the contacting step of (a)" and "the determining step of (b)" renders claim 15 vague and indefinite, because he believes that (a) and (b) contain multiple steps.

Applicant believes that it is perfectly acceptable for a method claim to contain multiple steps. Indeed, claim 19 is a method of identifying compounds which inhibit or which activate the HCV NS5B polypeptide, comprising two steps of :

- a) contacting a composition comprising the polypeptide of SEQ ID NO: 4 with a candidate compound; and
- (b) determining whether said compound activates or inhibits the activity of the polypeptide of SEQ ID NO:4.

However, the rejection is now rendered moot because claim 20 does not contain the terms "the contacting step of (a)" and "the determining step of (b)."

Rejection Under 35 USC 102

Claims 14 and 15 have been rejected under 35 U.S.C. 102 (b) as being anticipated by Hagedorn (WO 9712033). The Examiner states that Hagedorn discloses a recombinant RNA-dependent RNA polymerase of hepatitis C virus that is 95.2% identical to the amino acid sequence of SEQ ID NO: 4, and Hagedorn discloses methods for screening modulators of said polymerase contacting potential modulators with said polymerase and a signal generating component.

Applicant respectfully submits that Hagedorn does not anticipate the present invention. The present invention relates to a soluble form of NS5B which is truncated at C-terminus which can be used for screening compounds which inhibit NS5B, including the full length. However, Hagedorn's NS5B sequence has variation at the N-terminus. Nevertheless, in order to expedite the prosecution to early allowance, for now, Applicant has removed reference to any identity without prejudice. Applicant reserves the right to file divisional/continuation applications directed to cancel claims and subject matter.

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Applicant believes that he has addressed all the issues raised by the Examiner. In view of the foregoing amendments and arguments, Applicant believes the case is now allowable. Reconsideration and re-examination are respectfully requested.

Respectfully submitted,



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